

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Police Department –Request for initiation of disciplinary action against Sri. G. Jagga Rao, C.I. of Police (Retd) of Vizianagaram District – Examined – Further action dropped under the provision of Rule 9 (2) (b) (ii) of A.P.R.P. Rules, 1980 – Orders – Issued.

HOME (SERVICES.I) DEPARTMENT

G.O.RT.No. 494

Dated:01.05.2015.

Read:-

From the Director General of Police, Andhra Pradesh,
Hyderabad, Lr.No.680/T1/2014, dated.21.02.2015.

(****)

ORDER:

In the reference read above, the Director General of Police, Andhra Pradesh, Hyderabad, has informed that the Superintendent of Police, Vizianagaram his letter dated.13.03.2014 requested to issue permission in terms of Rule 9 (2) (b) of the A.P. Revised Pension Rules, 1980 to take appropriate disciplinary action against Sri. G. Jagga Rao, Inspector of Police, Retired from service with effect from 31.01.2013 AN, in pursuance of the directions of the Hon'ble High Court of A.P. in Judgement dated.23.12.2013 in Writ Petition No.33917/2013 of Hon'ble High Court of A.P. Hyderabad was forwarded, for taking further action. He has further informed that the Government were also informed that the Hon'ble Court in its Judgement, directed the S.P. Vizianagaram to take appropriate proceedings against the above retired S.I. for not registering the FIR on the complaint of Sri T.V.G. Chandrasekhar, Visakhapatnam, though the petition disclosed commission of a cognizable offence pertaining to Section 379 IPC, besides recovering the costs paid by the petitioner from him. Now the S.P. Vizianagaram District, vide his letter dated.03.02.2015 has sent articles of charge under Rule 22 of A.P.C.S. (CC&A) Rules, 1991, in respect of Sri G. Jagga Rao, Inspector of Police, retired from service for approval in terms of Rule 9 (2) (b) of A.P.R.P. Rules, 1980. Further he has informed that a Minor Charge was initiated against co-delinquent, Sri R. Govinda Rao, the then Inspector of Police, S. Kota Circle, and further action was dropped against him vide Proceedings C.No.14/PR/A6/2014, datged.23.0-7.2014. The above Inspector of Police, also paid an amount of Rs.20,000/- to the petitioner as directed by the High Court. Further on perusal of the draft articles of charge, and relevant documents, it is learnt that Departmental Proceedings, against Sri G. Jagga Rao, Retired Inspector of Police, cannot be initiated for the following reasons: -

- (a) As per the Rule 9 (2) (b) of Andhra Pradesh Revised Pension Rules, 1980, the Departmental Proceedings, if not instituted while the Government Servant was in service, whether before his retirement or during re-employment; shall not be in respect of any event which took place more than four years before such institution.
- (b) The delinquency of negligence of duty was exhibited by the above Inspector of Police, during his tenure, as S.I. of Police, L. Kota P.S., Vizianagaram District from 09.03.2008 to 28.03.2010. The above Inspector of Police, retired from service with effect from 31.01.2013.
- (c) As per Rule 9 (6) (a) of A.P. R.P. Rules, 1980, departmental Proceedings shall be deemed to be instituted on the date on which the statement of charge is issued to the Government servant or pension. The Departmental Proceedings in the instant case have not been initiated till date, i.e., even after lapse of nearly five years.

2. Further he has informed that the delay in initiating disciplinary action against the retired C.I. of Police, either while he was in service or after his retirement, is attributable to the S.P. Vizianagaram District. Hence, the Departmental Proceedings cannot be initiated against the retired Inspector of Police, as the time limit of four years, as per Revised Pension Rules, 1980 for such initiation is already lapse. Therefore, while enclosing the articles of charge in respect of the above retired officer has requested the Government to issue necessary orders.

(P.T.O).,

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3. Government after careful examination of the entire matter hereby drop further action against Sri G. Jagga Rao, Circle Inspector of Police, (Retd.) formerly at Vizianagaram District on the allegation of exhibiting neglect of duty under the provision of Rule 9 (2) (b) (ii) of A.P.R.P. Rules, 1980 as the Charged Officer was retired on 31.01.2013 and the incident was occurred in the year 2008.

4. The Director General of Police, Andhra Pradesh, Hyderabad, shall take further necessary action in the matter under intimation to the Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. B. PRASADA RAO,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, Andhra Pradesh,
Hyderabad.

Copy to:
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER.